

REMARKS/ARGUMENTS

This Amendment accompanies an RCE submitted in response to the Advisory Action mailed August 30, 2006. This Amendment and RCE are submitted with a one-month extension fee within the four month time period for reply extending from the June 15, 2006, mailing date of the Final Office Action to October 16, 2006. The current status of the claims is summarized below.

Claims 1, 7-8, 11, 17, 21-22, 27, and 34 are currently amended.

Claims 2-3, 5, 12-13, 15, 23, 25, 31-33, 42, and 49 are cancelled.

Claims 1, 4, 6-11, 14, 16-22, 24, 26-30, 34-41, 43-48, and 50-51 are pending in the application after entry of the present Amendment.

Allowable Subject Matter

The Applicant acknowledges the Office's indication that claims 1, 4-11, 14-22, 24-30, 34-41, 43-48, and 50-51 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph. The Applicant further acknowledges the Office's indication that the prior art of record fails to teach or suggest that which is described with regard to Figures 6A-7, and page 18, line 4, to page 20, line 21, with regard to defining the portion of the image to be transmitted from the server to the client.

Rejections under 35 U.S.C. 112

Claims 1, 4-11, 14-22, 24-30, 34-41, 43-48, and 50-51 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These rejections are traversed.

The Office has asserted that the feature of "determining a nearest pixel in said image data to a corner location of said at least one clipping region" as recited in each of claims 1, 11, 21, and 34 is indefinite. Specifically, the Office has asserted that the above-identified feature does not distinctly claim the subject matter described at page 18, lines 14-25 of the specification regarding selection of P_{UL} and P_{LR} as being associated with a mapping of two corners of the clipping region with one respective nearest pixel.

In the interest of further clarifying the claims in light of the above-mentioned assertions by the Office, each of claims 1, 11, 21, and 34 has been amended to recite a "clipping rectangle" rather than the previously recited "clipping region." Also, each of claims 1, 11, 21, and 34 has been amended to recite that the mapping includes "determining for each of two diagonally opposed corner locations of said at least one clipping rectangle one respective nearest pixel in said image data." It should be understood that the two diagonally opposed corner locations of said at least one clipping rectangle refers to either: a) upper left and lower right corner locations, or b) lower left and upper right corner locations. In view of the above-described amendment, the Applicant submits that each of amended claims 1, 11, 21, and 34 particularly points out and distinctly claims the subject matter of the invention, as required by 35 U.S.C. 112, second paragraph.

The Office has further asserted that each of claims 1, 11, 21, and 34 recite mapping of the clipping region to the image data, but do not recite a result of the mapping. The Office also asserts that each of claims 1, 11, 21, and 34 do not clearly claim the invention because it is not clearly recited as to whether the received scaled transmitted clipped image data is displayed or just generated as processed image data. The Office further asserts that a lack of correlation of the mapping steps to the transmission of the clipped image data over the network amounts to an omission of essential steps.

As discussed in the Amendment filed March 22, 2006, the Applicant disagrees with the above-identified assertions by the Office regarding recitation of the result of the mapping and omission of essential steps. The corresponding arguments provided in the Amendment of March 22, 2006, are incorporated herein by reference. However, in the
5 interest of furthering prosecution of the subject case to Allowance, the Applicant has amended each of claims 1, 11, 21, and 34 to recite an operation for displaying the scaled clipped image data at the receiver. The recitation of displaying the scaled clipped image at the receiver should not be considered as an acquiescence to the Office's assertions regarding recitation of the result of the mapping and omission of essential steps.

10 The Applicant submits that each of amended claims 1, 11, 21, and 34 satisfies the requirements of 35 U.S.C. 112. Therefore, the Office is kindly requested to withdraw the rejections of claims 1, 11, 21, and 34 under 35 U.S.C. 112. Additionally, the Applicant submits that each of the pending dependent claims is patentable for at least the same reasons as provided for its respective independent claim. Therefore, the Office is kindly
15 requested to withdraw the rejections of dependent claims 4, 6-10, 14, 16-20, 22, 24, 26-30, 35-41, 43-48, and 50-51 under 35 U.S.C. 112.

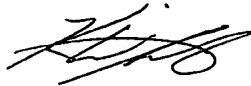
Interview with Examiner

A telephone interview was conducted between Applicant's agent Kenneth D.
20 Wright and examiner Jeffery A. Brier on October 16, 2006, to discuss the outstanding rejections. With regard to independent claims 1, 11, 21, and 34, the examiner indicated that the outstanding rejections under 35 U.S.C. 112 would be overcome by the claim amendments presented above. Specifically, the examiner indicated that changing the recited "clipping region" to "clipping rectangle" would sufficiently clarify the claims.
25 Also, with regard to claim 11, the examiner requested that the preamble be amended to

recite "A computer readable medium encoded with computer program instructions for processing image data, the computer program instructions comprising."

In view of the foregoing, the Applicant respectfully submits that all of the pending
5 claims are in condition for allowance. The Applicant respectfully requests that a Notice of Allowance be issued. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6914. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No.
10 SUNMP572). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, LLP



Kenneth D. Wright
Reg. No. 53,795

710 Lakeway Drive, Suite 200
Sunnyvale, California 94086
Tel: (408) 749-6900
Customer Number 32,291